



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number:
5185-474

Date of Issuance:
JAN 29 2010

Term of Issuance:
Conditional

Name of Pesticide Product:
Bioguard Banish

NOTICE OF PESTICIDE:

Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Mark Jernigan
Biolab, Inc.
PO Box 300002
Lawrenceville, GA 30049

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Copper Compounds II RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g) (2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Registration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

The following label revisions must be made:

1. A revision is needed to the ingredient statement per the product chemistry review dated 12/9/09 to include the CAS numbers for copper sulfate pentahydrate and copper glutamate.

Signature of Approving Official:

Marshall Swindell
Product Manager Team 33
Regulatory Management Branch II
Antimicrobials Division (7510P)

Date:

JAN 29 2010

2. Per the acute toxicity review, the signal word currently on the label "CAUTION" must be changed to read "WARNING."
3. Per the acute toxicity review, "IF INHALED" statements must be added to the first aid section and based on toxicity ranking the statements should be placed on the label in the following order:

"IF IN EYES: . . .
IF SWALLOWED: . . .
IF INHALED:
Move person to fresh air.
If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable mouth-to-mouth if possible.
Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING: . . ."

4. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

"WARNING
Causes substantial but temporary eye injury. Harmful if swallowed. Harmful if inhaled.
Do not get in eyes or on clothing. Avoid breathing vapors. Wear goggles or faceshield."

The Agency anticipates an amended Copper Compounds II RED will be finalized by the end of FY 2010. Additional labeling language may be required at that time. For additional information, please refer to the enclosed EPA reviews. Submit three (3) copies of the revised labeling bearing the labeling revisions listed above. If you have any questions concerning this matter, please contact me at (703) 308-6341 or by email at swindell.marshall@epa.gov or or ShaRon Carlisle at (703) 308-6427 or by email at carlisle.sharon@epa.gov.

Sincerely,



Marshall Swindell
Product Manager Team 33
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosures: Agency reviews

{All text in brackets [xxx] is optional and may or may not be included on a final label.}
{All text in braces {xxx} is administrative and will not appear on a final label.}

BioGuard® Banish®

ACTIVE INGREDIENT:

Copper (metallic)*	3.3%
OTHER INGREDIENTS:**	96.7%
TOTAL.....	100.0%

*Derived from copper sulfate pentahydrate
**Contains polymeric polyacrylate and gluconate stabilizing agents

KEEP OUT OF REACH OF CHILDREN
CAUTION

See [back][side] panel for First Aid and additional precautionary statements.

BIOLAB, INC.
PO BOX 300002
LAWRENCEVILLE, GEORGIA 30049

EPA REG. NO. 5185-474
EPA EST. NO. 5185-GA-1

Net Contents: {as indicated on container}

[U.S. Patent # 5,541,150]

[Made in USA]

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with COMMENTS
in EPA Letter Dated:
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Under the Federal Insecticide,
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{Optional marketing statements that may be used with prevention and treatment of pool algae directions.}

[Step 3] {Algicides are marketed as step three of a three step program to treat swimming pool water.}

[Step 3 of the 3 Step System]

[Kills and controls pool algae***]§

[***(Green, Mustard and Black Algae)]

[Prevents and kills green, mustard and black algae] §

[Non-staining† and ideal for pools]

[Non-staining†]

[Ideal for pools]

[Results in 24 hours] §

[Simple solution for pool algae problems] §

[A non-staining†, all purpose preventative pool [algaecide][algicide]] §

[A preventative pool [algaecide] [algicide]] §

[A non-staining† pool [algaecide] [algicide]] §

[An all purpose pool [algaecide] [algicide]] §

[A non-staining† all purpose pool [algaecide] [algicide]] §

[An effective, non-staining pool† [algaecide] [algicide] for green, mustard & black algae]§

[A non-staining† pool [algaecide] [algicide] for green, mustard & black algae] §

[An effective, pool [algaecide] [algicide] for green, mustard & black algae] §

[An effective, non-staining† pool [algaecide] [algicide] for green, mustard & black algae] §

[An effective pool [algaecide] [algicide] for green, mustard & black algae] §

[Kills and prevents pool algae [including black, green & mustard algae]] §

[Kills and prevents green, mustard & black algae] §

[Treats 10,000 gallons] {This statement will only be used when sold in pint bottles for Prevention & Treatment}

[Treats 20,000 gallons] {This statement will only be used when sold in quart bottles for Prevention & Treatment}

[Treats 40,000 gallons] {This statement will only be used when sold in half gallon bottles for Prevention & Treatment}

[[A] Non-Foaming]

[Highly effective pool algae killer and preventative] §

[Highly effective pool algae destroyer and preventative] §

[Kills and prevents pool algae] §

[Pool Algae Killer] §

[For all pool types]

[Prevent]{Designates that this application is part of prevention line of products}

[Inhibit] {Designates that this product is part of prevention line of products, for prevention of algae}

[Maintain] {Designates that this product is part of maintenance line of products}

[Remedy] {Designates that this application is part of product line to treat algae once it has occurred}

[As Needed*] {Application frequency per treatment of algae directions.}

[*Please refer to directions for use]

[BioGuard® Care System]

{The "BioGuard Care System" below may be placed on the label to allow easy product identification by consumers.}

[BioGuard Care System () Sanitizer () Shock (X) [Algaecide][Algicide]]

[Once a week**] {Application frequency per prevention of algae directions.}

[**Approximate addition rate. Please refer to directions for use.]

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[Ideal for use with BioLab UV system]
[Suitable for use with BioLab UV system]
[Compatible with BioLab UV system]
[BioLab UV system approved.]

{Optional marketing statements that may be used with prevention of pool algae directions.}

[Controls pool algae***]§
[***(Green, Mustard and Black Algae)]
[Prevents Green, Mustard and Black Pool Algae]
[Non-staining† and ideal for pools]
[Non-staining†]
[Ideal for pools]
[A non-staining†, all purpose preventative pool [algaecide] [algicide]] §
[A preventative pool [algaecide] [algicide]] §
[A non-staining† pool [algaecide] [algicide]] §
[An all purpose preventative pool [algaecide] [algicide]] §
[A non-staining† preventative pool [algaecide] [algicide]] §
[An effective, non-staining† pool [algaecide] [algicide] for green, mustard & black algae] §
[A non-staining† pool [algaecide] [algicide] for green, mustard & black algae] §
[An effective, pool [algaecide] [algicide] for green, mustard & black algae] §
[An effective, non-staining† pool [algaecide] [algicide] for green, mustard & black algae] §
[An effective pool [algaecide] [algicide] for green, mustard & black algae] §
[Prevent]{designates that this application is part of prevention line of products}
[Inhibit] {Designates that this product is part of prevention line of products, for prevention of algae}
[Maintain] {designates that this product is part of maintenance line of products}
[Use weekly*]
[Once-a-week* premium application]
[Once-A-Week*] {Application frequency per prevention of algae directions.}
[*Approximate addition rate. Please refer to directions for use.]
[For all pool types]
[BioGuard® Care System]
[Step 3] {Algicides are marketed as step three of a three step program to treat swimming pool water.}
[Step 3 of 3 Step Program]
{The "BioGuard Care System" below may be placed on the label to allow easy product identification by consumers.}
[BioGuard Care System () Sanitizer () Shock (X) [Algaecide][Algicide]]
[Ideal for use with BioLab UV system]
[Suitable for use with BioLab UV system]
[Compatible with BioLab UV system]
[BioLab UV system approved.]

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{Optional marketing statements that may be used with treatment of visible pool algae directions.}

[Step 3] {Algaecides are marketed as step three of a three step program to treat swimming pool water.}

[Step 3 of 3 Step Program]

[Kills pool algae***]§

[Destroys pool algae***] §

[***(Green, Mustard and Black Algae)]

[Patented pool [algaecide][algicide]]

[Patented pool [algaecide][algicide] that kills green, mustard and black algae] §

[Kills green, mustard and black pool algae] §

[Non-staining† copper pool [algaecide][algicide]] §

[Patented non-staining† pool [algaecide][algicide] that kills green, mustard and black algae] §

[Non-staining†]

[Ideal for pools]

[Non-staining† and ideal for pools]

[Results in 24 hours] §

[Kills pool algae in 24 hours] §

[Long-lasting]

[Long-lasting, non-staining† and ideal for pools]

[Long-lasting and non-staining† for pools]

[An effective, non-staining† pool [algaecide][algicide] [for green, mustard and black algae]] §

[A non-staining† pool [algaecide][algicide] for green, mustard and black algae] §

[An effective, pool [algaecide][algicide] for green, mustard and black algae] §

[An effective, non-staining† pool [algaecide][algicide] for green, mustard and black algae] §

[Treats 10,000 gallons] {this statement will only be used when sold in pint bottles for treatment}

[Treats 20,000 gallons] {this statement will only be used when sold in quart bottles for treatment}

[Treats 40,000 gallons] {this statement will only be used when sold in half gallon bottles for treatment}

[Convenient and easy to use with results in 24 hours] §

[No mixing or predissolving needed]

[An algicide with clarifiers that kills algae and clears cloudy water] §

[Long lasting, simple treatment for pool algae] §

[Non-staining† copper pool [algaecide][algicide]]

[Long lasting, non-staining† pool [algaecide][algicide]] §

[Kills pool algae] §

[Patented formula]

[Remedy] {designates that this application is part of product line to treat algae once it has occurred}

[BioGuard® Care System]

[[Use] [As Needed]]

[Long lasting, simple treatment for pool algae] §

[Ideal for use with BioLab UV system]

[Suitable for use with BioLab UV system]

[Compatible with BioLab UV system]

[BioLab UV system approved.]

{The "BioGuard Care System" below may be placed on the label to allow easy product identification by consumers.}

[BioGuard Care System () Sanitizer () Shock (X) [Algaecide][Algicide]]

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{Optional marketing statements that may be used with pool winterization directions.}

- [Provides winter protection against [unsightly] pool algae] §
- [Prevents pool algae growth during winter months] §
- [Treats 12,000 gallons] *{[This statement will only be used when sold in pint bottles for Winterization]}*
- [Treats 24,000 gallons] *{[This statement will only be used when sold in quart bottles for Winterization]}*
- [Treats 48,000 gallons] *{[This statement will only be used when sold in half gallon bottles for Winterization]}*
- [For clear water at spring opening]
- [One application will protect your pool water from algae through the winter months] §
- [No mixing or pre-dissolving needed]
- [Prevents pool algae growth when the pool is not in use] §
- [Controls pool algae during winter months] §
- [Winter pool algicide] §
- [Works in brominated and chlorinated pools]
- [Works in bromine and chlorine based sanitizer systems]
- [Prevents pool algae growth during winter months] §
- [Long lasting winter protection against pool algae] §
- [An [algaecide][algicide] with clarifiers that kills pool algae and maintains clears water through the winter months] §
- [Closing]
- [Winter]
- [Off Season Care]
- [Off Season]
- [Winter Care]
- [BioGuard® Care System]
- {The "BioGuard Care System" below may be placed on the label to allow easy product identification by consumers.}*
- [BioGuard Care System () Sanitizer () Shock (X) [Algaecide][Algicide]]
- [[At] pool closing]

§ The phrase "when used as directed" will appear at the end of this statement on the front panel. The phrase "when used as directed" will only appear after the first statement that has "§" after it if multiple statements with the § are used to prevent redundancy.

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{Directions to be used for prevention and treatment of pool algae}

Swimming Pool [Algaecide][Algicide] and Algae Preventative

{To maintain brand segmentation, two sets of marketing statements are provided to maintain separate brand identity. One of the following Options will be used on the label.}

{Optional Marketing Statement A}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]

[BioGuard® has a wide variety of products that solve specific pool situations. These products are designated as "Remedy".]

[BioGuard® has a wide variety of products that prevent and solve specific pool situations. These products are designated as both "Inhibit" and "Remedy".]

[BioGuard® Banish®] [algaecide] [algicide] {or} [This product], when used directed, is a highly effective, patented, non-staining [algaecide] [algicide] that kills and controls algae in swimming pools. [BioGuard Banish] [algaecide] [algicide] {or} [This product] is especially recommended for killing and controlling green, blue-green (frequently called black or spot algae) and mustard algae growths. [BioGuard Banish] [algaecide] [algicide] {or} [This product] **can be used as a remedy for visible algae or to prevent algae from occurring. See use directions for Prevention of Algae or Treatment of Visible Algae for proper application of [BioGuard Banish] [algaecide] [algicide] {or} [this product].** This product is formulated for use in chlorine or bromine sanitized swimming pools of all surface and filter types.

{Optional Marketing Statement B}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]

[BioGuard® has a wide variety of products that solve specific pool situations. These products are designated as "Remedy".]

[BioGuard® has a wide variety of products that prevent and solve specific pool situations. These products are designated as both "Inhibit" and "Remedy".]

[The BioGuard® Care System has three important parts that help you maintain crystal blue sparkling water.

- A sanitizer to kill bacteria
- A shock to destroy contaminants
- A preventative [algaecide][algicide] to stop algae before it starts.

All parts of the BioGuard Care System are vital to achieve beautiful water.]

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[BioGuard® Banish®] {or} [This product] is a non foaming swimming pool algae preventative for the BioGuard Care System. Weekly use of [BioGuard® Banish®]{or} [this product] prevents algae before it starts. [This product] {or} [BioGuard® Banish®] is formulated to complement most swimming pool sanitizers. [This product] {or} [BioGuard® Banish®] is a highly effective algae killer and algae preventative. [This product] {or} [BioGuard® Banish®] is effective and non-staining when used as directed. [This product] {or} [BioGuard® Banish®] kills and prevents all types of pool algae: black algae, green algae, and mustard algae. [This product] {or} [BioGuard® Banish®] provides a residual effectiveness that protects your pool against algae formation while keeping your pool water sparkling clear. [This product] {or} [BioGuard® Banish®] is non-foaming and can be used in pools with attached spas or jetted returns.

[Use [BioGuard® Banish®]{or} [this product] weekly when using the BioLab UV system to prevent pool algae.]

IMPORTANT NOTES:

1. Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide.
2. Prior to the initial application of this product, test pool water for the presence of metals. If metals are present, apply a metal stain preventative per label directions.
3. When using other products, always follow label directions for those products.
4. [† In use dilution, this product is non-staining to pool surfaces and equipment.] {or} [† Full strength product will stain porous pool surfaces.]

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

PRIOR TO APPLICATION:

1. Ensure all equipment is working properly. If necessary, clean the filter system.
2. Adjust pH between 7.2-7.6.
3. Establish and maintain proper chlorine or bromine levels. In chlorine-treated pools, add stabilizer to establish a minimum level of 30-40 ppm of cyanuric acid to reduce the degrading effects of sunlight on chlorine residual.
4. Vacuum leaves and any other foreign debris from pool.
5. Brush visible algae thoroughly from the pool's surface with a surface-compatible brush.

TO PREVENT POOL ALGAE:

1. Initially apply 8 fluid ounces of this product per 10,000 gallons of pool water with pump and filter operating.
2. Thereafter, for weekly application intervals, add 1.5 fluid ounces per 10,000 gallons of pool water. For two week application intervals, add 3 fluid ounces per 10,000 gallons of pool water every other week. Apply more often if pool volume is diluted by heavy rain, frequent backwashing or partial drain/refill.
3. Wait at least 15 minutes after application before entering pool.

TREATMENT OF VISIBLE POOL ALGAE:

1. Add 1 lb. of [BurnOut WP] {or} [BurnOut Extreme] {or} [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [BurnOut 35] {or} [granular lithium hypochlorite] per 6,000 gallons of pool water or 1 lb. of BioGuard Smart Shock per 12,000 gallons of pool water. Follow application directions on these products.
2. Allow to circulate for 1 hour.

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3. With pump and filter operating, apply 16 fluid ounces of **[BioGuard Banish]** [algaecide] [this product] per 10,000 gallons of pool water directly to the pool water in areas of heaviest algae growth.
4. Continuously circulate pool water for 24 hours.
5. The next day, thoroughly brush pool surfaces.
6. Prior to re-entry, test chlorine level. Do not enter pool until chlorine level is between 1 – 4 ppm.
7. In cases of persistent algae, repeat brushing and product application after 2-4 days.
8. [The use of a filter aid will enhance filter efficiency and algae removal.]
9. [Chemically cleaning the filter is recommended 3 to 4 days after treatment.]

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{Directions to be used for prevention of pool algae}

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Prevention of Pool Algae

{To maintain brand segmentation, two sets of marketing statements are provided to maintain separate brand identity. One of the following Options will be used on the label.}

{Optional Marketing Statement A}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]

[BioGuard® Banish®] [algaecide][algicide] {or} [This product], when used as directed, is a highly effective, patented, non-staining [algaecide] [algicide] that controls algae in swimming pools. [BioGuard Banish] [algaecide] [algicide] {or} [This product] is especially recommended for controlling green, blue-green (frequently called black or spot algae) and mustard algae growths. This product is formulated for use in chlorine or bromine sanitized swimming pools of all surface and filter types.

[Use [BioGuard® Banish®] {or} [this product] weekly when using the BioLab UV system to prevent pool algae.]

{Optional Marketing Statement B}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]

[The BioGuard® Care System has three important parts that help you maintain crystal blue sparkling water.

- A sanitizer to kill bacteria
- A shock to destroy contaminants
- A preventative [algaecide][algicide] to stop algae before it starts

All parts of the BioGuard Care System are vital to achieve beautiful water.]

[BioGuard® Banish®] {or} [This product] is a non foaming swimming pool algae preventative for the BioGuard Care System. Weekly use of [BioGuard® Banish®] {or} [this product] prevents algae before it starts. [This product] {or} [BioGuard® Banish®] is formulated to complement most swimming pool sanitizers. [This product] {or} [BioGuard® Banish®] is a highly effective pool algae preventative. [This product] {or} [BioGuard® Banish®] is effective and non-staining when used as directed. [This product] {or} [BioGuard® Banish®] kills and prevents all types of pool algae: black algae, green algae, and mustard algae. [This product] {or} [BioGuard® Banish®] provides a residual effectiveness that protects your pool against algae formation while keeping your pool water sparkling clear. [This product] {or} [BioGuard® Banish®] is non-foaming and can be used in pools with attached spas or jetted returns.

[Use [BioGuard® Banish®] {or} [this product] weekly when using the BioLab UV system to prevent pool algae.]

IMPORTANT NOTES:

- 1. Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide.
- 2. Prior to the initial application of this product, test pool water for the presence of metals. If metals are present, apply a metal stain preventative per label directions.
- 3. [† In use dilution, this product is non-staining to pool surfaces and equipment.] {or} [† Full strength product will stain porous pool surfaces.]
- 4. This product is designed to prevent the growth of algae. If visible growth is already present, it will be necessary to use a treatment product to kill the visible algae.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

PRIOR TO APPLICATION:

- 1. Ensure all equipment is working properly. If necessary, clean the filter system.
- 2. Adjust pH between 7.2-7.6.
- 3. Establish and maintain proper chlorine or bromine levels. In chlorine treated pools, add stabilizer to establish a minimum level of 30-40 ppm of cyanuric acid to reduce the degrading effects of sunlight on chlorine residual.
- 4. Vacuum leaves and any other foreign debris from pool.
- 5. Brush pool thoroughly with a surface-compatible brush.

TO PREVENT POOL ALGAE:

- 1. With pump and filter operating, initially apply 8 fluid ounces of this product per 10,000 gallons of pool water.
- 2. Thereafter, for weekly application intervals, add 1.5 fluid ounces per 10,000 gallons of pool water. For two week application intervals, add 3 fluid ounces per 10,000 gallons of pool water every other week. Apply more often if pool volume is diluted by heavy rain, frequent backwashing or partial drain/refill.
- 3. Wait at least 15 minutes after application before entering pool.

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Under the Federal Insecticide,
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{Directions to be used for treatment of visible pool algae}

Treatment of Visible Pool Algae

{To maintain brand segmentation, two sets of marketing statements are provided to maintain separate brand identity. One of the following Options will be used on the label.}

{Optional Marketing Statement A}

[BioGuard® has a wide variety of products that solve specific pool situations. These products are designated as "Remedy".]

[BioGuard® Banish®] [algaecide] *{or}* [This product], when used as directed, is a highly effective, patented, non-staining pool algaecide that kills algae in swimming pools [and clears pool water]. [BioGuard® Banish®] [algaecide] *{or}* [This product] is especially recommended for killing green, blue-green (frequently called black or spot algae) and mustard algae growths. This product is formulated for use in chlorinated or brominated swimming pools of all surface and filter types.

[Use [BioGuard® Banish®] *{or}* [this product] when using the BioLab UV system to destroy pool algae.]

{Optional Marketing Statement B}

BioGuard® has a wide variety of products that solve specific pool situations. These products are designated as "Remedy".

BioGuard® Banish® is a highly effective fast acting swimming pool algae destroyer. [This product] *{or}* [BioGuard® Banish®] kills all types of pool algae: black algae, green algae, and mustard algae. [This product] *{or}* [BioGuard® Banish®] is formulated to complement most swimming pool sanitizers. [This product] *{or}* [BioGuard® Banish®] is effective and non-staining when used as directed. When used as directed you will see results in 24 hours. [This product] *{or}* [BioGuard® Banish®] is non-foaming and can be used in pools with attached spas or jetted returns.

[Use [BioGuard® Banish®] *{or}* [this product] when using the BioLab UV system to destroy pool algae.]

IMPORTANT NOTES: 1. Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide. 2. Prior to the initial application of this product, test pool water for the presence of metals. If metals are present, apply stain and scale inhibitor (chelating agent) per label directions. 3. † In use dilution, this product is non-staining to pool surfaces and equipment [and clears water].

DIRECTIONS FOR USE: It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

PRIOR TO APPLICATION: Ensure all equipment is working properly. If necessary, clean the filter system, adjust pH between 7.2-7.6, and establish a minimum level of 30-40 ppm of [stabilizer] [cyanuric acid] in chlorinated pools. Vacuum leaves and any other foreign debris from pool. If metals testing indicates a need to use a stain and scale inhibitor, apply that product per label directions. Brush visible algae

thoroughly from the pool's surface with a surface-compatible brush. Establish and maintain proper chlorine or bromine levels.

TREATMENT OF VISIBLE POOL ALGAE: Add 1 lb. of [BioGuard® BurnOut WP] {or} [BioGuard® BurnOut Extreme] {or} [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [BioGuard® BurnOut 35] [granular lithium hypochlorite] per 6,000 gallons of pool water or 1 lb. of BioGuard Smart Shock per 12,000 gallons of pool water. Follow application directions on these products. Allow to circulate for 1 hour. With pump and filter operating, apply 16 fluid ounces of [BioGuard® Banish®] [algaecide] [algicide] {or} [this product] per 10,000 gallons of pool water directly to the pool water in areas of heaviest algae growth. Continuously circulate pool water for the next 24 hours. Afterwards, thoroughly brush pool surfaces. Prior to re-entry, test chlorine level. Do not re-enter pool until chlorine level is between 1 – 4 ppm. In cases of persistent algae, repeat brushing and application after 2-4 days. A filter aid may be used to enhance filter efficiency. [Chemically cleaning the filter is recommended 3 to 4 days after treatment.]

ACCEPTED
with COMMENTS
in EPA Letter Dated:

JAN 29 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 585-474

{Directions to be used for pool winterization}

Winter Algae Preventative for Swimming Pools

[BioGuard® has a wide variety of products to care for your pool during the off season. These products are designated as "Off Season".]

[BioGuard® Banish®] [winter][algaecide][algicide] {or} [This product], when used as directed, prevents the growth of pool algae and aids in maintaining pool water clarity during the winter when the pool is not in use. [BioGuard® Banish®] [winter][algaecide]{or}[The product] is formulated for use in chlorinated or brominated swimming pools of all surface and filter types.

IMPORTANT NOTES: 1. Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide. 2. †In use dilution, this product is non-staining to pool surfaces and equipment.

PRIOR TO APPLICATION: Take a sample of your pool water to your [BioGuard Dealer] {or} [professional pool dealer]. Follow their directions for product application(s) to properly balance your water for conditions in your area. If metals testing indicate a need to use a stain and scale inhibitor, apply that product per label directions. Allow the pool to circulate at least 1 hour before adding other products.

DIRECTIONS FOR USE: It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

[Add 1 lb. of [BioGuard® BurnOut WP] {or} [BioGuard® BurnOut Extreme] {or} [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [BioGuard® BurnOut 35] {or} [granular lithium hypochlorite] {or} [BioGuard® Lite] per 6,000 gallons of pool water or 1 lb. of BioGuard Smart Shock per 12,000 gallons of pool water.] {or} [Add the appropriate amount of [BioGuard® Lite] {or} [BioGuard® Enhanced] [Winter Shock] [winter shock] according to the label directions of that product.] Allow to circulate 2-4 hours. Then pour this product into the pool around its edges with the pool circulation system operating. Add 16 fluid ounces of [BioGuard® Banish®] [winter] [algaecide] [algicide] {or} [this product] for each 12,000 gallons of pool water. Circulate pool water for 1 hour. Then, clean filter and pool walls at water line.

In areas with severe freezing, drain pool equipment and plumbing lines or use an antifreeze recommended for swimming pool plumbing and equipment. Always follow the cleaning directions established by the manufacturer and/or pool builder. Pools with mesh covers or without covers may need to [apply 1 lb. of [BioGuard® BurnOut WP] {or} [BioGuard® BurnOut Extreme] {or} [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [BioGuard® BurnOut 35] {or} [granular lithium hypochlorite] {or} [BioGuard® Lite] per 6,000 gallons of pool water] {or} [add the appropriate amount of [BioGuard® Lite] {or} [Enhanced] [Winter Shock] [winter shock] according to the label directions for that product] midwinter or just prior to freezing.

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5185-724

{The following is optional text to be used at BioLab's discretion with swimming pool use directions for determination of pool capacity. This information is non-essential and will be provided only as a courtesy. Will not appear on all swimming pool products.}

[TO DETERMINE POOL CAPACITY: Rectangular Pools - Length times width times average depth (in feet) times 7.5 equals gallons. Round and Oval Pools - Long diameter times short diameter times average depth (in feet) times 5.9 equals gallons.]

STORAGE AND DISPOSAL: Keep this product in its original tightly closed container when not in use. Store in a cool, dry, well ventilated area. Do not contaminate food or feed by storage or disposal. **PRODUCT DISPOSAL:** Securely wrap original container in several layers of newspaper and discard in trash. **CONTAINER DISPOSAL:** Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying.

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: CAUTION: Harmful if swallowed. Causes moderate, but temporary, eye irritation. Avoid contact with eyes or clothing. Wear protective eye wear (safety glasses). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

FIRST AID: IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. **IF ON SKIN OR CLOTHING:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice. **IF SWALLOWED:** Call poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [IN CASE OF MEDICAL EMERGENCY, CALL [1-303-623-5716] [1-877-800-5553] [telephone number supplied by supplemental registrant].]

PHYSICAL OR CHEMICAL HAZARDS: Do not mix with other chemicals.

{Environmental hazards statement for end-use products in containers of less than 5 gallons (liquid).}

[ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic organisms.]

{Environmental hazards statement for end-use products in containers of equal to or greater than 5 gallons (liquid).}

[ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.]

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Note: Buyer assumes all responsibility for safety and use not in accordance with directions. [Metals from source water, ionizers or poorly sequestered algaecides have the potential to stain pool surfaces. Treat these problems with an appropriate stain and scale inhibitor (chelating agent) before using this product.]

[Visit BioGuard's Internet Web site at [[http://](http://www.bioguard.com)] www.bioguard.com]

ACCEPTED
with COMMENTS
in EPA Letter Dated:

JAN 29 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 5185-424